

## UNITED STATES DISTRICT COURT

**FILED**

JUL 29 2023

for the

Northern District of Oklahoma

**Mark C. McCartt, Clerk**  
**U.S. DISTRICT COURT**

In the Matter of the Search of )

Case No. 23-mj-00413-SH106 East Pine Court, Skiatook, Oklahoma 74070, Tulsa  
County, Northern District of Oklahoma )**APPLICATION FOR A SEARCH WARRANT**

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

See Attachment "A"

located in the Northern District of Oklahoma, there is now concealed (*identify the person or describe the property to be seized*):

See Attachment "B"

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

*Code Section**Offense Description*18 U.S.C. §§ 1151, 1153, and  
113(a)(3)Assault with a Dangerous Weapon with Intent to do Bodily Harm in Indian  
Country

The application is based on these facts:

**See Affidavit of Luis Cardona, attached hereto.**

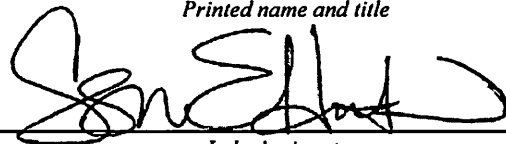
- ☒ Continued on the attached sheet.
- ☐ Delayed notice of \_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

*Applicant's signature*

Luis Cardona, Special Agent

*Printed name and title*

Subscribed and sworn to by phone.

Date: 7/29/23*Judge's signature*City and state: Tulsa, Oklahoma

Susan E. Huntsman, U.S. Magistrate Judge

*Printed name and title*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

**In the Matter of the Search of 106 East  
Pine Court, Skiatook, Oklahoma  
74070, Tulsa County, Northern  
District of Oklahoma**

Case No. 23-mj-00413

**Affidavit in Support of an Application  
Under Rule 41 for a Warrant to Search and Seize**

I, Luis Cardona, being first duly sworn under oath, depose and state:

**Introduction and Agent Background**

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search 106 East Pine Court, Skiatook, Oklahoma, 74070, Tulsa County, Northern District of Oklahoma (SUBJECT RESIDENCE), including outbuildings and contains on the curtilage premises, as further described in Attachment A, for the things described in Attachment B.

2. I am a federal law enforcement officer as defined under Rule 41(a)(2)(C) and am authorized to request this search warrant because I am a government agent who is engaged in enforcing federal criminal laws and I am within the category of officers authorized by the Attorney General to request such a warrant.

3. I am a Special Agent with the Federal Bureau of Investigation (FBI) since 2022. I am currently assigned to the Oklahoma City Field Office, Tulsa Resident Agency. My duties with the FBI include, but are not limited to, investigating violations of federal criminal law. I have received formal training and I have

participated in many aspects of criminal investigations, including conducting interviews, collecting and reviewing evidence, conducting physical and electronic surveillance, and executing search and arrest warrants. As part of my duties as a Special Agent, I investigate criminal violations relating to federal crimes of general applicability and criminal violations that occur in Indian Country, including Assault with a Dangerous Weapon with Intent to do Bodily Harm in Indian Country, in violation of 18 U.S.C. §§ 1151, 1153, and 113(a)(3).

4. I am familiar with the facts and circumstances of this investigation. The facts set forth in this affidavit are based on my personal observations, knowledge obtained from other law enforcement officers, my review of documents related to this investigation, conversations with others who have personal knowledge of the events and circumstances described herein, and a review of open-source information including information available on the Internet. Because this affidavit is submitted for the limited purpose of establishing probable cause in support of the application for a search warrant, it does not set forth each and every fact I or others have learned during the course of this investigation.

5. Based on my training, experience, and the facts set forth in this affidavit, there is probable cause to believe that evidence of violations of Title 18 U.S.C. §§ 1151, 1153, and 113(a)(3), Assault with a Dangerous Weapon with Intent to do Bodily Harm in Indian Country, will be located at 106 East Pine Court, Skiatook, Oklahoma, 74070, Tulsa County, Northern District of Oklahoma (SUBJECT

RESIDENCE), including outbuildings and contains on the curtilage premises, as further described in Attachment A.

### **Jurisdiction**

6. “[A] warrant may be issued to search for and seize any property that constitutes evidence of a criminal offense in violation of the laws of the United States.” 18 U.S.C. § 3103a.

7. The requested search is related to the following violations of federal law:

- a. Title 18 U.S.C. §§ 1151, 1153, and 113(a)(3) – Assault with a Dangerous with Intent to do Bodily Harm in Indian Country

8. Venue is proper because the person or property described in this affidavit is located within the Northern District of Oklahoma. Fed. R. Crim. P. 41(b)(1).

### **Probable Cause**

9. At all times relevant to this Search Warrant, MICHAEL ROBERT BROWN (DOB: xx/xx/1991) is a member of the Cherokee Nation.

10. BROWN lived with his wife, A.B., at 106 East Pine Court, Skiatook, Oklahoma (SUBJECT RESIDENCE). That residence is in the Northern District of Oklahoma and the Cherokee Nation.

11. On July 29, 2023, at approximately 7:00 a.m., A.B. came home to her house at 106 East Pine Court after her overnight shift. Soon after A.B. arrived, BROWN began arguing with A.B. about their children. A.B. noted that BROWN had a drinking problem and seemed intoxicated when she arrived home.

12. BROWN began yelling at A.B. that he was afraid of her and commented that she could destroy his life. BROWN asked A.B. if she wanted to see him kill himself, and then grabbed A.B.'s wrist, retrieved scissors from the drawer next to the kitchen sink, and stabbed A.B. repeatedly in the head with the scissors.

13. BROWN eventually dropped the scissors and apologized to A.B., but he would not let go of A.B.'s wrist.

14. Eventually, A.B. was able to get away from BROWN. A.B. ran across the street to her grandmother, S.D.'s, house at 109 East Pine Court, Skiatook, Oklahoma.

15. S.D. called A.B.'s mother, L.S. When L.S. arrived at A.B.'s house, she chased BROWN out of the house.

16. A.B. and BROWN's neighbor, S.T., provided a written statement to Skiatook Police Department. S.T. heard children screaming and went out to check on them. At that time, grandma (A.B.'s relative) asked S.T. to call 911, and S.T. obliged. S.T. saw a woman pull up in a red truck, enter A.B.'s house, and chase a man out of the house. The man started walking down the street and S.T. followed him until he was arrested by Skiatook Police Department.

17. Shortly after L.S. chased BROWN out of the house, Skiatook Police Department arrived. Skiatook Police Department located BROWN approximately one block from his house and placed him under arrest. When Skiatook Police

Department arrested BROWN, they noticed that BROWN was wearing shorts, but no shirt. BROWN had blood on his face, shorts, and foot. They did not observe any blood on BROWN's chest, suggesting that BROWN removed his shirt after the stabbing. A.B. told special agents that she believed BROWN threw away a blood shirt in the trash can outside the house.

18. A.B. was transported by Skiatook EMS to Saint John's Hospital in Tulsa. A.B. had a stab wound to her head and forehead.

19. Skiatook Police Department officers conducted a protective sweep of the house, but did not search or seize any items from the house. During their protective sweep, officers observed that it appeared someone began cleaning up blood in the kitchen.

20. During BROWN's assault of A.B., their five-year-old child was in the home. BROWN and A.B. also have an eight-year-old child.

### **Conclusion**

21. Based on the information above, I submit that there is probable cause to search 106 East Pine Court, Skiatook, Oklahoma, 74070, Tulsa County, Northern District of Oklahoma (SUBJECT RESIDENCE), including outbuildings and contains on the curtilage premises, as further described in Attachment A, and seize the items described in Attachment B.

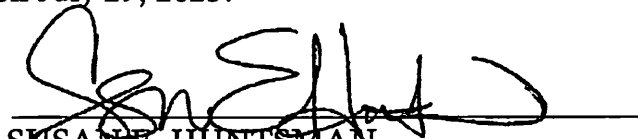
22. I request to be allowed to share this affidavit and the information obtained from this search with any government agency, to include state and local agencies investigating or aiding in the investigation of this case or related matters, and to disclose those materials as necessary to comply with discovery and disclosure obligations in any prosecutions from this matter.

Respectfully submitted,



Luis Cardona  
Special Agent  
Federal Bureau of Investigation

Subscribed and sworn to by phone on July 29, 2023.



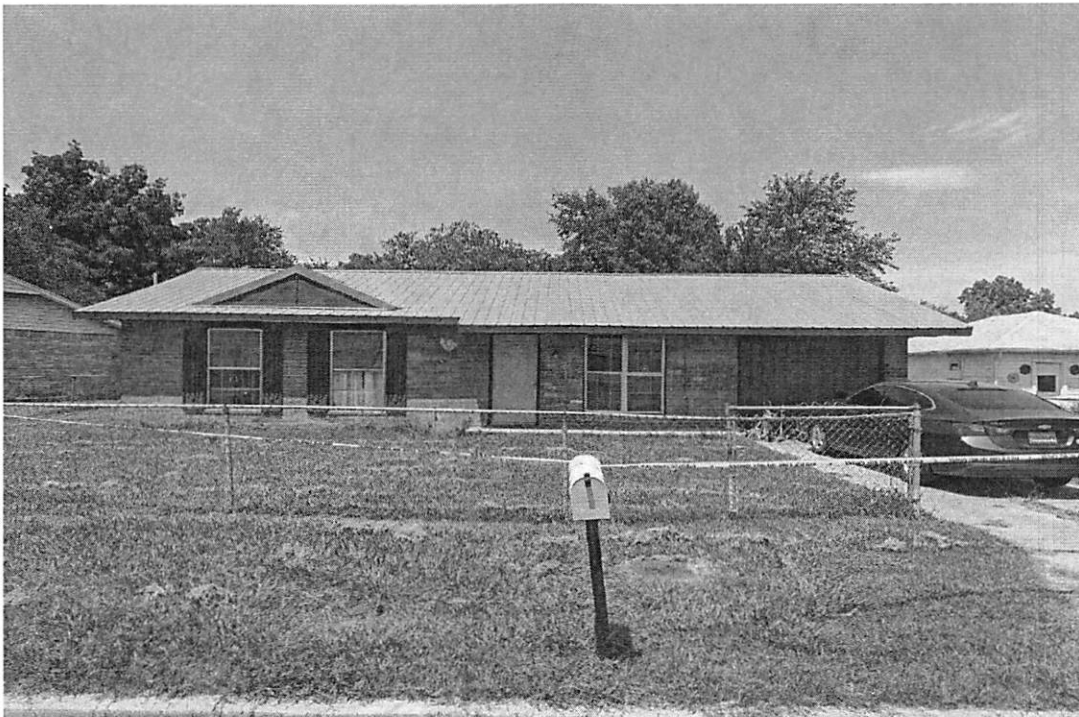
SUSANNE E. HUNTSMAN  
UNITED STATES MAGISTRATE JUDGE



## **ATTACHMENT A**

### **Property to be Searched**

The property to be searched is a residence located at 106 East Pine Court, Skiatook, Oklahoma, 74070, Tulsa County, Northern District of Oklahoma (SUBJECT RESIDENCE), including outbuildings and contains on the curtilage premises. The residence to be searched is further described as a single-story residential home. The residence to be searched is constructed of brown brick with a grey metal roof. The residence has a yellow colored front door that faces south. The front of the residence is surrounded by a chain-link fence with a free-standing mail box near the driveway. The residence to be searched is more commonly known as 106 East Pine Court, City of Skiatook, State County of Tulsa, State of Oklahoma, and is located within the Northern District of Oklahoma.





**ATTACHMENT B**

**Particular Things to be Seized**

All items that constitute evidence of violations of Title 18, United States Code §§1151, 1153, and 113(a)(3), Assault with a Dangerous Weapon with Intent to do Bodily Harm in Indian Country, including:

- a. Crime scene photographs of the interior and exterior of SUBJECT PREMISES including, but not limited to, location of evidence before it is seized and photographs establishing dominion and control of the premises;
- b. Swabs or samples of biological evidence, such as blood, hair, and body fluids;
- c. Articles of clothing bearing biological evidence such as blood or body fluids;
- d. Items used in an attempt to hide or destroy evidence of the stabbing;
- e. Scissors; and
- f. Records to establish the persons who control, possess, or have custody or dominion over property searched and from which evidence is seized, to include but not be limited to: personal mail, checkbooks, personal identification, notes, other correspondence, financial documents, keys, photographs, leases, and bills.